

**REMARKS/ARGUMENTS**

Reconsideration of this application is requested. Claims 1-8, 15 and 58-60 are pending in the application subsequent to entry of this Amendment. Of these claims 1-4 have been allowed and claims 5-8, 15 and 58-60 are rejected.

Claims 9-14 and 16-57, all directed to non-elected subject matter, have been withdrawn. In this Amendment these withdrawn claims have been canceled. This action is taken without disclaimer and without prejudice to divisional applications directed to the subject matter of these various claims.

**Applicants' Claim for Benefit of Priority**

The examiner acknowledges receipt of the two priority documents, both in Japanese, but points out that the priority date has not been considered because the priority documents are not in English. Submitted with this response are verified English translation of both of these documents thereby completing applicants' claim for benefit of priority back to the Japanese filing date of July 23, 2003. The significance of this will be apparent from the remarks that follow.

**Response to Lack of Clarity Rejection Under 35 USC §112, Second Paragraph**

The examiner regards claim 15 as indefinite by virtue of the fact that formulas 1b, 3a and 3b are not defined in claim 1. Similar objections were made to claims 59 and 60. Claims 15 and 59 have been amended to include the relevant formulas, these formulas being defined in other aspects of the original claim set but in claims that have been withdrawn from considered. Basis for the changes to these claims will be apparent.

The examiner also rejects claim 65 (page 3, first three lines). However as there is no claim 65 in the application, counsel is not able to respond.

**Response to Rejection Under 35 USC §103(a)**

Claims 5-8 and 58 are rejected as being "obvious" and therefore unpatentable over published Japanese application 2004/238362. The inventor of this published application is the inventor of the subject application.

As explained above, applicants have submitted herewith English translations of the two priority documents thus demonstrating they are entitled to benefit of priority of July 23, 2003.

MARUOKA  
Appl. No. 10/563,658  
August 1, 2008


This date antedates the date of publication of the published Japanese application referred to by the examiner and therefore it is not available as prior art.

This Amendment places all pending claims in condition for allowance and a Notice of Allowance is solicited. Should the examiner require further information, please contact the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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